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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/702,376

11/05/2003

Mingwei Liu

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EXAMINER

RIYAMI, ABDULLA A

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

11/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/702,376

Applicant(s)

LIU ET AL.

Examiner

Abdullah Riyami

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/24/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 1-7 are objected to because of the following informalities:

As per claim 1, the reference characters "VC-trunk" fails to explicitly disclose and spell out the subject matter. It is suggested to change "VC" to --Virtual Container--. The claims are also objected to because they include reference characters which are not enclosed within parentheses. Similar problems exists in claims 4-7.

Reference characters corresponding to elements recited in the detailed description of the drawings and used in conjunction with the recitation of the same element or group of elements in the claims should be enclosed within parentheses so as to avoid confusion with other numbers or characters which may appear in the claims. See MPEP § 608.01(m).

As per claim 1, line 3, it is suggested to change "existing" to --exists--.

As per claim 2, line 2, it is suggested to include --a-- before "flow control timer".

As per claim 3, line 3, it is suggested to change "control timer" to --a flow control timer--.

As per claim 4, line 3, it is suggested to change "VC-trunk" to --said VC-trunk--.

As per claim 5, line 3, it is suggested to change "a VC-trunk" to --said VC-trunk--.

As per claim 6, line 1, it is suggested to change "VC-trunk tag" to --the VC-trunk tag--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 4 and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitation "the downlink" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "the VC-Trunk tag length" in 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-7 are rejected under 35 U.S.C. 102(a) as being anticipated by Ramsden et al. (EP 1006 751 A2).

As per claim 1, Ramsden et al. discloses a flow control method for VC-Trunks in metropolitan-area network equipment (see paragraph 7 and column 11, paragraph 27, lines 30-33, see figures 1 and 4) comprising the following steps:

A) determining whether a service data packet block existing at a VC- Trunk of a receiving-end transmission equipment, if so, sending out a flow control packet with a

Art Unit: 2616

VC-Trunk tag (see paragraph 30, lines 50-52, and column 15, paragraph 32, lines 40-41);

B) according to the VC-Trunk tag in the flow control packet, pausing service data packets of the VC-Trunk forwarding at a transmission equipment that has received said flow control packet (see paragraph 30), until timing brought in by the flow control packet expires and no other new flow control packet is received (see column 19, paragraph 37, lines 8-31).

As per claim 2, the flow control method according to Claim 1, wherein step (B) further comprising, initiating flow control timer at the transmission equipment that has received said flow control packet; determining whether said flow control timing is ended, if it is not, then waiting (inherent, see paragraph 37).

As per claim 3, the flow control method according to Claim 1, wherein step (A) further comprising, initiating control timer at the receiving-end transmission equipment and sending said flow control packet in a timing manner until said service data packet block is disappeared (inherent, see paragraph 37).

As per claim 4, the flow control method according to Claim 1, wherein step (A) comprising, on the downlink of the service data packets, calculating individually the number of the received service data packets of every VC-Trunk at receiving- end transmission equipment; determining whether said number is excess a preset flow control threshold, if it is, sending the flow control packet to sending- end transmission equipment (see paragraphs 32 and 33).

As per claim 5, the flow control method according to Claim 1, wherein step (A)

comprising, on the uplink of the service data packets, determining whether a FIFO buffer of a VC-Trunk at the receiving-end transmission equipment is overflow, if it is, sending said flow control packet to the receiving-end transmission equipment physical port (see paragraph 32 and 33).

As per claim 6, the flow control method according to Claim 1, wherein VC-Trunk tag as a frame header is added to 802.3x standard pause frame to consist the flow control packet (see column 19, lines 3-5 and column 20, lines 9-15).

As per claim 7, the flow control method according to Claim 1, wherein VC-Trunk tags correspond to VC-Trunks one by one, and the VC-Trunk tag length is determined by the number of VC-Trunks (see column 15, lines 8-16 and column 14, lines 5-10, (in virtual concatenation, each group representing the data packet for transmission is given an identifier)).

Conclusion

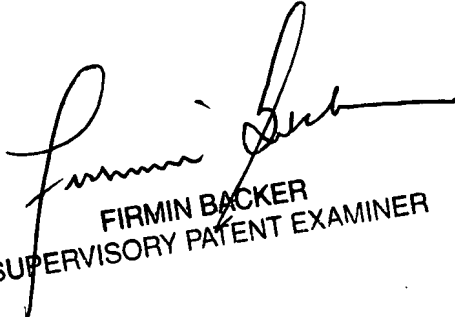
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See form 892.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdullah Riyami whose telephone number is (571) 270-3119. The examiner can normally be reached on Monday through Thursday 8am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571) 272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AR



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SUPERVISORY PATENT EXAMINER